

Louis, Mo., alleging that the article had been shipped in interstate commerce on or about October 20 and November 25, 1939, by the Northern Electric Co. from Chicago, Ill.; and charging that it was misbranded.

The device was alleged to be misbranded in that its labeling bore representations that it would help one to fight aches and pains with nature's soothing healing rays from the sun; that from the flaming disk of the sun are cast forth the mysterious infra-red rays without which life on this planet would be impossible; that such rays penetrate deep into the flesh, stimulate the nerves, and cause greatly increased circulatory action which destroys infections, rebuilds diseased tissues, and promotes bodily health and vitality; that the device would be efficacious in the treatment of backache due to weakness or fatigue, bladder trouble, bronchitis, catarrh, eczema, rheumatism, cramps, earaches, hysteria, lumbago, menstrual pains (dysmenorrhea), toothache, pain, neuralgia, neuritis, sleeplessness or insomnia and sciatica; that a catarrhal condition of the bladder would be relieved by a 10-minute application; that the device would afford a very prompt and effective treatment for colds in the head; that congestion would be broken up and inflammation relieved by applying the device to the blood vessels at the back of the head and along the spine; that general body treatments would be useful in stimulating the blood; and that with the application of the device heat rays penetrate down into the tissues, muscles, and even vital organs, bringing comfort and relief, which representations were false and misleading.

On February 9, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

192. Misbranding of infra-red lamps. U. S. v. 5 Infra-Red Lamps. Default decree of condemnation and destruction. (F. D. C. No. 1343. Sample No. 64982-D.)

This product consisted of a metal goose-neck table model reflector lamp fitted with a heating unit.

On January 12, 1940, the United States attorney for the Southern District of Ohio filed a libel against five infra-red lamps at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about December 28, 1939, by the F. C. Hermann Co. from Chicago, Ill.; and charging that it was misbranded. The article was labeled in part: "No. 21 Doctorheat Table Model Infra Red Lamp."

It was alleged to be misbranded in that the representations in the labeling regarding its use in the treatment of arthritis, asthma, boils, bronchitis, cold in chest, cold in head, earache, influenza, insomnia, neuritis, painful menstruation, pleurisy, pneumonia, sinus trouble, and sore throat, were false and misleading since the said article would have no therapeutic value beyond that produced by its warming effect and would not constitute an adequate treatment for the disease conditions named.

On March 15, 1940, no claimant having appeared, judgment of condemnation was entered and the article was ordered destroyed.

193. Misbranding of infra-red ray lamps. U. S. v. 95 Infra-Red Ray Lamps. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 1347. Sample No. 46744-D.)

This product was a table model lamp fitted with a heating element. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On January 17, 1940, the United States attorney for the Northern District of Illinois filed a libel against 95 infra-red ray lamps at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about December 20, 1939, from St. Louis, Mo., by the Knapp Monarch Co.; and charging that it was misbranded. It was labeled in part: "No. L-11-9 Modern Infra Red Ray Lamp."

It was alleged to be misbranded in that the labeling bore representations that the infra-red rays would penetrate deeply under the surface of the skin, forming heat units which would cause an excess accumulation of blood—this action being known as hyperemia; that it would produce beneficial chemical changes, increase nutrition, and cause the white corpuscles to destroy any microbes which might be present; that by producing hyperemia through the use of the infra-red rays, nature would be aided in the natural curative powers which reside in the blood; that daily repetition of the treatments would tend to restore normal conditions gradually; that the circulation of the skin would become more ac-

tive and the amount of the blood in the over-burdened internal organs would be diminished as the vital resistance of the tissues was increased; that catarrhs of the stomach and intestines would tend to disappear, the digestive secretions would resume their normal functioning, and the liver, adrenals, lymphatic glands, and other poison-destroying organs would again become effective; that infra-red rays would hasten the disappearance of fat by oxidation of excess tissue; that they were of great value in the treatment of organic or functional heart disease because from one-third to one-half of the entire volume of blood could be stored in the capillary system, thereby relieving the heart of its hardest work; that women experiencing trouble at menstruation would find comforting relief by using infra-red rays; that it was beneficial for abscesses or boils, angina pectoris, asthma, biliousness, bronchitis, colds, earache, felon, gangrene, stomach disturbances, heart disease, infections, insomnia, itch, kidney diseases, laryngitis, liver diseases, lumbago, muscle diseases, delayed or painful menstruation, rheumatism, sciatica, gout, neuralgia, neuritis, sinus trouble, sprains, sore throat, stiff neck, swollen glands, ulcers, and wounds, that infra-red rays were also beneficial for inflammation of the gall bladder, inflammation of the bladder, pus in the pleural cavities, hysteria, nervous diseases, inflammation of the ovaries, inflammation of the bone membranes, inflammation of veins, inflammation of the fallopian tubes, septicemia, and inflammation of joints, which representations were false and misleading.

On January 31, 1940, the claimant, the Knapp Monarch Co., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the purpose of relabeling in accordance with the provisions of the law.

194. Misbranding of therapeutic lamps. U. S. v. 144 Relievo Therapeutic Lamps. Decree of condemnation. Product released under bond. (F. D. C. No. 1479. Sample No. 77737-D.)

This device was a table model lamp equipped with an incandescent heating element. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On February 8, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 144 therapeutic lamps at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 21 and December 7, 1939, from New York, N. Y., by the Kas-Kel Electric Co., Inc.; and charging that it was misbranded.

The device was alleged to be misbranded in that representations in its labeling that it would relieve pain, rheumatism, lumbago, earache, deep-seated pains, mental and physical fatigue; that its penetrating rays would relieve congestion and the healing heat would take out the sore spots; that it would produce health-giving rays; that it would penetrate the tissues and tone up the whole system, and assist in throwing off constitutional troubles; that it would invigorate the tissues, and that once the tissues were exposed to the rays nature itself would promote healing and cure by increased circulation, were false and misleading as applied to a table model lamp equipped with an incandescent heating element.

On February 16, 1940, judgment of condemnation was entered and the product was ordered released to the claimant, the Kas-Kel Electric Co., Inc., under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

195. Misbranding of therapeutic lamps. U. S. v. 65 Therapeutic Lamps. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 1536. Sample No. 56348-D.)

This device consisted of an incandescent bulb screwed into a goose-neck table type lamp. Its labeling bore false and misleading representations regarding its efficacy in the treatment of the conditions indicated below.

On February 27, 1940, the United States attorney for the Northern District of California filed a libel against 65 therapeutic lamps at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about August 16 and December 16, 1939, by the Eagle Electric Manufacturing Co. from Brooklyn, N. Y.; and charging that it was misbranded. It was labeled in part: "No. 357 Table Type Therapeutic Lamp."

The device was alleged to be misbranded in that its labeling bore representations that it was efficacious in the treatment of abscess, colds, backache, lumbago, neuritis, neuralgia, rheumatism, all pains caused by indigestion; that